

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 DAMON R. JOHNSON,

4 Plaintiff,

5 v.

6 CHARLES DANIELS, *et al.*,

7 Defendants.
8

Case No. 2:21-cv-00610-RFB-DJA

ORDER

9 **I. DISCUSSION**

10 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by
11 an individual who has been released from the custody of the Nevada Department of
12 Corrections. On April 13, 2021, Plaintiff submitted an application to proceed *in forma*
13 *pauperis* for prisoners. (ECF No. 1). On April 16, 2021, this Court denied the Plaintiff's
14 application without prejudice because the application was incomplete and directed
15 Plaintiff to file a new fully complete application on or before June 14, 2021. (ECF No. 3).
16 Thereafter, on April 27, 2021, this Court received a notice of returned mail. (ECF No. 4).
17 On May 17, 2021, Plaintiff filed a notice of change of address. (ECF No. 5). The Court
18 now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner
19 on or before **June 14, 2021** or pay the full filing fee of \$402. The Court will retain Plaintiff's
20 civil rights complaint (ECF No. 1-1) but will not file it until the matter of the payment of the
21 filing fee is resolved.

22 **II. CONCLUSION**

23 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court will send
24 Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as
25 well as the document entitled information and instructions for filing an *in forma pauperis*
26 application.

27 IT IS FURTHER ORDERED that on or before **June 14, 2021**, Plaintiff shall either:
28 (1) file a fully complete application to proceed *in forma pauperis* by a non-prisoner; or (2)

1 pay the full filing fee of \$402.

2 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
3 this case will be subject to dismissal without prejudice for Plaintiff to file a new case with
4 the Court when Plaintiff is either able to file a fully complete application to proceed *in*
5 *forma pauperis* by a non-prisoner or pays the full \$402 filing fee.

6 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint
7 (ECF No. 1-1) but shall not file it at this time.

8 DATED: May 18, 2021

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11 UNITED STATES MAGISTRATE JUDGE
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